

FILED

February 10 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. PR 06-0120

FILED

FEB 10 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

ALLISON CHAPMAN,

Plaintiff,

v.

WELLS FARGO NATIONAL ASSOCIATION,
SANDY HENDRICKSON,

Defendant.

ORDER

Allison Chapman has filed a motion for disqualification for cause of District Judge Julie Macek in the above-entitled matter, which is Cause No. ADV 08-609 in the Eighth Judicial District Court. The District Court entered judgment in that case on October 23, 2008.

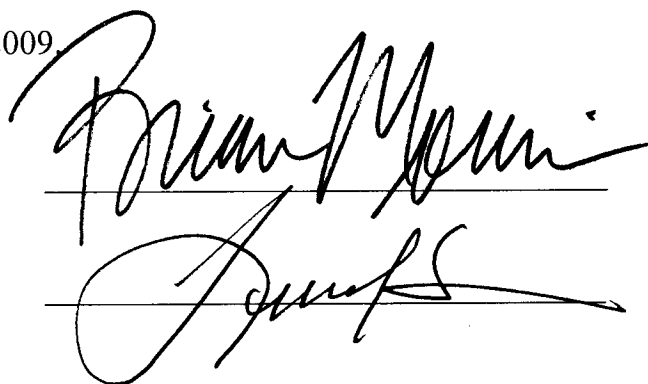
Pursuant to § 3-1-805(1)(a), MCA, a motion for disqualification for cause must be filed more than 30 days before the date set for hearing or trial. Chapman's motion for disqualification is clearly untimely.

THEREFORE,

IT IS ORDERED that Chapman's motion to disqualify Judge Macek for cause is set aside as untimely pursuant to § 3-1-805, MCA.

The Clerk is directed to mail copies of this order to all counsel of record and to Allison Chapman personally.

DATED this 10th day of February, 2009.



Patricia Götter
Jim Rice
W. William Lenz
Justices